

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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MARVEN WAMWRIGHT,

Plaintiff,

– against –

Regions Bank, Regions Mortgage, Union
Planters Bank, NA,

Defendant.
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Case No.:

U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK
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Marven Wamwright, complaining of the defendant, Regions Bank, Regions Mortgage,
Union Planters Bank, respectfully represents:

1. Defendant Regions Bank, Regions Mortgage, Union Planters Bank does business in Florida and other states of the United States.
2. The defendant, in reference to the real property at issue in this case, was represented by Garrido & Rundquist, PA, with an address at 2800 Ponce de Leon Boulevard, Coral Gables, Florida 33134. The defendant may be served through said law firm.
3. This adversary proceeding arises out of plaintiff's case under Chapter 13 of the Bankruptcy Code, Case No. 1-13-43546, now pending before this court.
4. This court has jurisdiction pursuant to 28 U.S.C. 157, 1334 and 11 U.S.C. 362. This is a core proceeding pursuant to 28 U.S.C. 157(b)(2).
5. The plaintiff filed a voluntary petition under Chapter 13 of the Bankruptcy Code on June 10, 2013.
6. At the commencement of the Chapter 13 case, plaintiff was a co-owner, with Imperial Capital, LLC, of a condominium unit located at 4441 Collins Avenue, Unit 2202,

Miami Beach, FL 33140.

7. At the time of the filing of the petition under Chapter 13, the defendant held a first lien on said property.

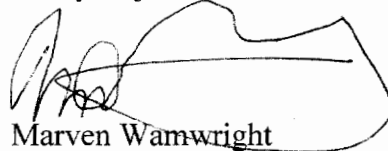
8. A plan has not been confirmed nor a discharge entered in the Chapter 13 case.

9. The defendant, without having obtained from this court a modification of the automatic stay afforded by 11 U.S.C. 362, proceeded to foreclose its first lien on the said property on June 23, 2013. Upon information and belief, the defendant has recorded a foreclosure deed transferring the referenced unit in the Dade County Clerk's office.

10. The property was sold for \$674,108.75. The value of the property was \$950,000. Consequently, the value for which the property was sold was grossly inadequate in view of the true value of the property.

11. The foreclosure sale by the defendant ~~Regions Bank, Regions Mortgage~~ was in violation of 11 U.S.C. 362, is void, and should be set aside.

WHEREFORE, plaintiff prays for a judgment of the court setting aside the foreclosure conducted by the defendant ~~Regions Bank, Regions Mortgage~~, cancelling the foreclosure deed to the defendant, and causing such foreclosure deed to be stricken from the record of the Dade County Clerk's Office, and for such other and further relief as may be just.


Marven Wamwright
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